

18-485 McDONOUGH V. SMITH

DECISION BELOW: 898 F.3d 259

LOWER COURT CASE NUMBER: 17-296

QUESTION PRESENTED:

Whether the statute of limitations for a Section 1983 claim based on fabrication of evidence in criminal proceedings begins to run when those proceedings terminate in the defendant's favor (as the majority of circuits has held) or whether it begins to run when the defendant becomes aware of the tainted evidence and its improper use (as the Second Circuit held below).

CERT. GRANTED 1/11/2019